

STATE OF SOUTH CAROLINA

189488

(Caption of Case)

Joint Application of PAETEC Communications, Inc.,  
and US LEC of South Carolina Inc., for Approval  
of Intra-Corporate Merger, Assignment of  
Authorization and Cancellation of US LEC's  
Authority to Provide Telecommunication Service

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

COVER SHEET

DOCKET

NUMBER: 2007 - 364 - C

(Please type or print)

Submitted by: Craig Metz

SC Bar Number: 8134

Address: Venable LLP

Telephone: 202-344-4000

575 7<sup>th</sup> Street NW

Fax: 202-344-8300

Washington DC 20004

Other: \_\_\_\_\_

Email: \_\_\_\_\_

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition ☐ Request for item to be placed on Commission's Agenda expeditiously

☐ Other: \_\_\_\_\_

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input type="checkbox"/> Electric	<input checked="" type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input checked="" type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other:
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	

November 14, 2007

**VIA OVERNIGHT DELIVERY**

Charles Terreni, Chief Clerk  
South Carolina Public Service Commission  
101 Executive Center Dr.  
Suite 100  
Columbia, SC 29210

RECEIVED  
2007 NOV 15 AM 10:23  
SC PUBLIC SERVICE  
COMMISSION

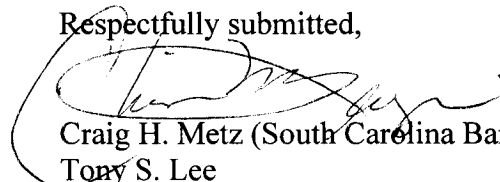
**Re: DOCKET NO. 2007-364-C**  
**Joint Application of PAETEC Communications, Inc., and US LEC of South**  
**Carolina Inc., for Approval of Intra-Corporate Merger, Assignment of**  
**Authorization and Cancellation of US LEC's Authority to Provide**  
**Telecommunications Service**

Dear Mr. Terreni:

On behalf of PAETEC Communications, Inc. ("PAETEC") and US LEC of South Carolina Inc. ("US LEC," collectively with PAETEC, the "Applicants"), transmitted herewith please find the original and ten (10) copies of their Proofs of Publication, demonstrating that the Notice of Filing and Hearing in the above-referenced matter was published in newspapers of general circulation covering the Applicants' service areas.

Thank you very much for your attention to this matter. Please date-stamp this letter, and return it to us in the enclosed self-addressed stamped envelope. Should you have any questions with respect to this matter, please do not hesitate to contact Christine McLaughlin at (202) 344-4679.

Respectfully submitted,



Craig H. Metz (South Carolina Bar No. 8134)

Tony S. Lee

Grace R. Chiu

Christine McLaughlin

cc: Judy Matthews, Administrative Assistant, Docketing Department (via overnight delivery, w/ enclosures)  
F. David Butler, Senior Counsel/Hearing Examiner (via U.S. mail, w/ enclosures)  
Nanette S. Edwards, Office of Regulatory Staff (via U.S. mail, w/ enclosures)

# AFFIDAVIT OF PUBLICATION

## The Post and Courier

State of South Carolina

County of Charleston

Personally appeared before me the undersigned advertising Clerk of the above indicated newspaper published in the City of Charleston, County and State aforesaid, who, being duly sworn, says that the advertisement of

(Copy attached)

appeared in the issues of said newspaper on the following day(s):

10/19/2007

at a cost of \$ 273.27

Account# H982824

Order# C221AV5L

P.O. Number: PAETEC

Subscribed and sworn to before

me this 23<sup>rd</sup> day

of October

A.D. 2007

*Shelly A. Davidson*  
Advertising Clerk

NOTARY PUBLIC  
My Commission Expires

Form 3020

PUBLIC SERVICE  
COMMISSION OF  
SOUTH CAROLINA

DOCKETING  
DEPARTMENT

NOTICE OF  
FILING AND HEARING

DOCKET NO. 2007-384-C

PAETEC Communications, Inc. ("PAETEC"), and US LEC of South Carolina, Inc. ("US LEC"), (together the Applicants) have filed with the Public Service Commission of South Carolina ("Commission"), a Joint Application for approval of an intra-corporate merger and for assignment of an authorization to provide local exchange and exchange access telecommunications services within the State of South Carolina. The Joint Application was filed pursuant to S.C. Code Ann. Section 58-9-310. Specifically, PAETEC and US LEC, which are both wholly-owned subsidiaries of PAETEC Holding Corp., propose to undergo a transaction whereby US LEC will be merged into PAETEC, US LEC will cease to exist as a separate corporate entity; and PAETEC will provide service to the US LEC customers.

A copy of the Application is on file in the offices of the Commission, 101 Executive Center Drive, Columbia, South Carolina 29210, the Commission's website at [www.psc.sc.gov](http://www.psc.sc.gov), and is available from Christine McLaughlin, Esquire, Venable, LLP, 575 7th Street, NW, Washington, DC 20004-1601.

**PLEASE TAKE NOTICE** that a hearing on the above matter has been scheduled to begin at **10:00 a.m. on Monday, December 17, 2007**, before Hearing Examiner David Butler, Esquire in the Commission's Law Library at 101 Executive Center Drive, Saluda Building, Columbia, South Carolina 29210.

**PLEASE BE ADVISED** that pursuant to South Carolina Code of Laws - Section 58-9-280, as amended, the Commission will invoke the 120-day period allowed for consideration of this matter.

Any person who wishes to participate in this matter, as a party of record with the right of cross-examination, should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure on or before **November 15, 2007**, and indicate the amount of time required for his presentation. Please include an email address for receipt of future Commission correspondence in the Petition to Intervene. Please refer to **Docket No. 2007-384-C**.

Any person who wishes to testify and present evidence at the hearing, should notify the Docketing Department, in writing, at the address below, the Office of Regulatory Staff at Post Office Box 11263, Columbia, South Carolina 29211, and Christine McLaughlin, Esquire, at the above address, on or before **November 15, 2007**, and indicate the amount of time required for his presentation. Please refer to **Docket No. 2007-384-C**.

Any person who wishes to be notified of any change in the hearing, but does not wish to present testimony or be a party of record, may do so by notifying the Docketing Department, in writing, at the address below on or before **November 15, 2007**. Please refer to **Docket No. 2007-384-C**.

**PLEASE TAKE NOTICE:** Any person who wishes to have his or her comments considered as part of the official record of this proceeding **MUST** present such comments, in person, to the Commission during the hearing.

Persons seeking information about the Commission's Procedures should contact the Commission at (803) 896-5100.

Public Service Commission of  
South Carolina  
Attn: Docketing Department  
Post Office Drawer 11649  
Columbia, SC 29211

# The Greenville News

greenvilleonline.com

## Classified Advertising

Date: 10/19/2007

Name: CHRISTINE MCLAUGHLIN, ESQUIRE, /  
VENABLE, LLP, 575 7TH ST. N WASHINGTON DC 20004-

Ad No: 4124970

Class: 0008 Legal Notices (News) Rate: Legal Rates


Runs:


Thursday, October 18, 2007

Lines: 123

## AFFIDAVIT

I, Susan F. Mullinax, being the Legal Advertising Agent for *The Greenville News*, do hereby testify that the attached legal ad was published on 123 lines as set forth above, in The Greenville News beginning on 10/18/2007 and ending on 10/18/2007

  
Susan F. Mullinax  
Legal Advertising Agent

  
Jeanne M. Gullic  
Notary Public for the State of South Carolina  
My Commission Expires April 4, 2013

Post Office Box 1688 \* Greenville, SC 29602  
Phone: 864.298.4100



305 South Main Street \* Greenville, SC 29601  
Toll Free: 1.800.800.5116

Ad Text:

</684>4124970  
PUBLIC SERVICE  
COMMISSION  
OF SOUTH CAROLINA  
DOCKETING DEPARTMENT  
</676>NOTICE OF FILING AND<Qc>

HEARING<Qc>

</684>DOCKET NO. 2007-364-C  
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of South Carolina, Inc. ("US  
LEC"), (together the Appli'  
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al of an intra-corporate merger  
and for assignment of an autho'  
rization to provide local ex'  
change and exchange access  
telecommunications services  
within the State of South Caro'  
lina. The Joint Application was  
filed pursuant to S.C. Code  
Ann. Section 58-9-310. Specif'  
ically, PAETEC and US LEC,  
which are both wholly-owned  
subsidiaries of PAETEC Hold'  
ing Corp., propose to undergo a  
transaction whereby US LEC  
will be merged into PAETEC;  
US LEC will cease to exist as a  
separate corporate entity; and  
PAETEC will provide service  
to the US LEC customers. □  
A copy of the Application is on  
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mission, 101 Executive Center  
Drive, Columbia, South Caroli'  
na 29210, the Commission's  
website at [www.psc.sc.gov](http://www.psc.sc.gov), and  
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McLaughlin, Esquire, Venable,  
LLP, 575 7th Street, NW, Wash'  
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Public Service Commission □  
of South Carolina □

Attn: Docketing Department  
Post Office Drawer 11649  
Columbia, South Carolina 29211

REVISED

OCT-16-07

**THANK YOU FOR YOUR ADVERTISEMENT!**  
If I can be of further assistance, please call : Susan  
4229

# SUN PUBLISHING COMPANY, INC.

PO BOX 406 • MYRTLE BEACH, SC 29578-0406

Christine McLaughlin Venable  
575 7th Street NW  
Washington DC 20004

October 19, 2007

NEWSPAPER

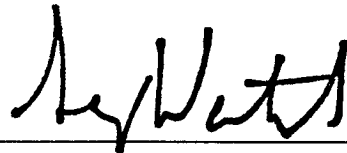
The Sun News

DATE(S) OF PUBLICATION

October 19, 2007

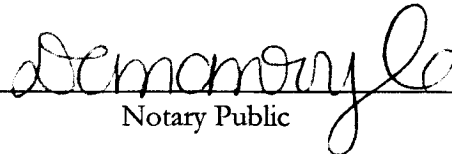
AFFIDAVIT OF PUBLICATION: State of South Carolina  
County of Horry

Before me, a Notary Public, personally appeared – Gary Wortel, who, after being duly sworn, deposes and says: That he is publisher of the Sun Publishing Company, Inc., at Myrtle Beach, South Carolina. In the county and state aforesaid: that the above ad(s) was (were) printed and published in said newspaper, on said date(s).



Gary Wortel

Sworn to and subscribed before me this 19th day of October 2007.



Notary Public

My Commission Expires July 24, 2016.



**NOTICE OF FILING  
AND HEARING**

DOCKET NO. 2007-364-C  
DOCKETING DEPARTMENT  
PUBLIC SERVICE  
COMMISSION  
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Public Service  
Commission of  
South Carolina  
Attn: Docketing Department

From previous page  
Post Office Drawer 11649  
Columbia,  
South Carolina 29211

REVISED  
OCT-16-07

1047963

THE STATE-RECORD CO., INC.  
Columbia, South Carolina  
publisher of

**The State**

STATE OF SOUTH CAROLINA  
COUNTY OF RICHLAND

Personally appeared before me, Peggy Lawrence, Advertising Sales Support  
Manager of THE STATE, and makes oath that the advertisement,

Notice of Filing and Hearing – Docket 2007-364-C – Paetec Communications

was inserted in THE STATE, a daily newspaper of general circulation for the State  
of South Carolina published in the City of Columbia, State and County aforesaid,  
in the issues of

October 19, 2007

*Peggy Lawrence*

Subscribed and sworn to before me

on this day October 25, 2007

*Philip F. Hermon*

Notary Public

My commission expires  
March 10, 2013

*"Errors- the liability of the publisher on account of errors in  
or omissions from any advertisement will in no way exceed  
the amount of the charge for the space occupied by the item in  
error, and then only for the first incorrect insertion."*

PUBLIC SERVICE  
COMMISSION OF  
SOUTH CAROLINA  
DOCKETING  
DEPARTMENT

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